

REMARKS

Applicants have carefully reviewed the Application in light of the Final Office Action dated February 17, 2004. At the time of the Office Action, Claims 1-22 were pending. Claims 1 and 12 have been amended without prejudice or disclaimer in order to advance prosecution of the application and to further clarify what the Applicants consider to be the invention. ~~Applicants respectfully request reconsideration of the pending claims and~~ favorable action in this case. Applicants have responded to each notation by the Examiner.

Section 102/103 Rejections

The Examiner rejected Claims 1, 5-10, 12, and 16-21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,058,380 issued to Anderson et al. ("*Anderson*"). In addition, the Examiner rejected Claims 4, 11, 15, and 22 under 35 U.S.C. §103(a) as being unpatentable over *Anderson* in view of U.S. Patent No. 5,926,810 issued to Noble, et al. ("*Noble*"). Applicants respectfully traverse these rejections.

To begin, *Anderson* fails to anticipate the present invention because *Anderson* fails to disclose that the second vendor identifier indicates an organizational business relationship between the first vendor and the second vendor, as recited in amended Claims 1 and 12. The Examiner contends that a second vendor identifier (the "vendor type," such as gas, telecommunications, leasing) indicates a relationship between the first and second vendors. (Office Action mailed 2/17/04, Pages 6). While the vendor type may indicate that the vendors participate in the same industry, this information fails to indicate an organizational business relationship between the first and second vendors. For example, the detailed description of the present application provides numerous examples of organizational business relationships, including, but not limited to, subsidiary relationships, department/company relationships, division/company relationships, joint venture relationships, partnership relationships, and ownership relationships. Consequently, *Anderson's* disclosure of a vendor type that categorizes vendors based on a field of business fails to indicate an organizational business relationship between the first and second vendors, as recited in Claims 1 and 12, as amended. Furthermore, *Noble* also fails to disclose that the second vendor identifier indicates an organizational business relationship between the first vendor and the second vendor.

In addition, the passages of *Anderson* relied upon the Examiner fail to teach other limitations recited in amended Claims 1 and 12. First, *Anderson* does not teach associating

both (a) a first vendor identifier with ones of the accounts payable items wherein the first vendor identifier uniquely identifies a first vendor associated with the first vendor name and (b) a second vendor identifier with ones of accounts payable items wherein the second vendor identifier indicates a relationship between the first vendor and a second vendor. The passage relied upon by the Examiner in Column 12-13 of *Anderson* simply teaches the storage of ~~information about vendors in a vendor database which may include a vendor name and~~ vendor identification number. Second, the passage relied upon by the Examiner does not teach associating identifiers with accounts payable items. Rather, this passage simply talks about storing information in a "vendor master file." The description of accounts payable generation and formatting in Columns 10-11 of *Anderson* suggests that accounts payable are handled by the customer's accounts payable system, while the system described in *Anderson* is an intermediary system.

In an attempt to overcome *Anderson's* failure to teach all of the limitations set forth in independent Claims 1 and 12, the Examiner contends that it is inherent in *Anderson* that each accounts payable item is associated with a first vendor identifier and a second vendor identifier. The Examiner supports this contention by stating that because vendor data and accounts payable data are stored in the same database, such data are "associated" with each other. (Office Action mailed 2/17/04, Pages 5-6).

"To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." M.P.E.P. § 2112; *See In re Robertson*, 49 U.S.P.Q.2d 1949, 1150-51 (Fed. Cir. 1999). "In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." M.P.E.P. § 2112; *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). In the present case, the Examiner is merely speculating as to the probability or possibility that each accounts payable item is associated with a first vendor identifier and a second vendor identifier based on the presence of vendor data and accounts payable data within the same database. (Office Action mailed 2/17/04, Page 6). However, the Examiner has failed to provide any basis in fact and/or technical reasoning to support the

contention that the allegedly inherent association of vendor identifiers with accounts payable items necessarily flows from the teachings of *Anderson*, as is required to establish inherency.

While not relevant to the Examiner's § 102 rejection, Applicants wish to note that the passage relied upon by the Examiner in *Noble* appears to teach a general ledger system that may be shared by multiple subsidiaries of a corporation (*Noble*; Col. 10, Lines 62-68). The ~~accounts payable information in this system appears to have a feature that partitions data~~ according to the organization to which the information belongs. (*Noble*; Col. 11, Lines 1-25). Thus, this system merely allows the system to identify what data belongs to what organization. In the context of *Noble*, the relevant data associated with an accounts payable item would appear to be a customer name, not a vendor name. Moreover, like *Anderson*, the passage relied upon by the Examiner in *Noble* fails to teach associating both a first and second vendor identifier as claimed in amended Claims 1 and 12.

These differences provide significant advantages over prior art systems. For example, as described on page 26 of the specification, vendor identifiers of the type claimed may be used in a large organization to determine that while relatively small amounts are spent with individual vendors, a relatively large amount may be spent with a group of related vendors. The invention allows vendor identifiers to be used to systematically generate reports that would reveal these aggregate large expenditures. Neither *Anderson* nor *Noble*, whether considered alone or in combination, appears to allow this advantage to be achieved.

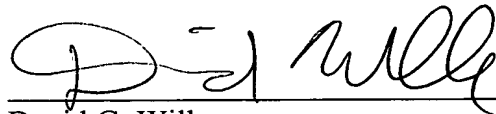
For at least the foregoing reasons, Applicants believe that Claims 1 and 12 are not anticipated or obvious in light of *Anderson* and *Noble*, whether considered alone or in combination. Claims 4-11 and 15-22 depend from Claims 1 and 12, respectively. Thus, these claims are allowable for the same reasons that Claims 1 and 12 are allowable.

CONCLUSION

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of the pending claims.

The Commissioner is hereby authorized to charge the amount of \$770.00 to Deposit Account No. 05-0765 of Electronic Data Systems Corporation to cover the fee for the Request for Continued Examination. Applicants do not believe that any other fees are due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 05-0765 of Electronic Data Systems Corporation. If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact its attorney at the number provided below.

Respectfully submitted,
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